

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

LENKA KNUTSON and)
SECOND AMENDMENT FOUNDATION,)
INC.,)

Plaintiffs,)

v.)

Case No. 9:16-CV-62-DWM

CHUCK CURRY, in his official capacity as)
Sheriff of Flathead County, Montana,)

Defendant.)

This matter is before the Court upon the parties' Joint Stipulation to Entry of Final Judgment and Permanent Injunction (Dkt. # 14). The parties stipulated to an Order of the Court enjoining Defendant from enforcing M.C.A. § 45-8-321(1) as applied to the application of lawful permanent residents to obtain a permit to carry a concealed handgun, provided they are otherwise-qualified (Dkt. # 14-1).

The Court concludes that the Stipulation should be approved, and judgment should be entered in favor of Plaintiffs. Accordingly,

IT IS ORDERED:

1. Pursuant to Plaintiffs' as-applied Fourteenth Amendment Equal Protection claim in Count I of Plaintiffs' Complaint, Defendant is permanently enjoined from taking any action to enforce M.C.A. § 45-8-321(1) as applied to the application of lawful permanent residents to obtain a permit to carry a concealed handgun, provided they are otherwise-qualified. Upon entry of the final order and permanent injunction, Defendant shall allow Plaintiffs and other lawful permanent residents residing in Montana to apply for, and obtain, a permit to carry a concealed handgun, provided they are otherwise-qualified to obtain such a permit pursuant to M.C.A. § 45-8-321.

2. Plaintiffs' shall file an application for attorneys' fees and expenses on or before _____, 2016.

3. Count II of Plaintiffs' Complaint is voluntarily dismissed pursuant to F.R.Civ.P. 41(a)(1)(A)(ii).

Dated this ___ day of August, 2016:

BY THE COURT:

s/ Donald W. Molloy
United States District Judge